1948-49. (Ml)

File No 147-48
Serial Nos 29,30

Previous Refeces
Ml 91-47(11,12)
Ml 21-39(13,14)

Later Refeces
Law 266-55-8

P 15
(E)

Serial Nos Two

Part B for Jan 49

Cancellation of land granted to Sri Doddiah alias Javarappa, Thotadahalli Beedi, Krishnaraja Mohalla, Mysore

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To The Chman C I T B, Mysore.

No. L 8009/D 17-1-49

Directs the Chman, CITB Mysore to issue an endorsement to the party

Notes ——— 5 Pages

Correct —— 10 Pages

192/Rev

Petn dt 25-6-48 from one
Venkatasubbayya, No 178,
Chelvamba Agraharam,
Krishnarajapuram Mohalla, Mysore
stating that the land ordered
to be given to him, has
not been handed over to him etc

1) Order of the Minister
for Finance & Industries -
"early"
(Sd) H C D
8-9/6

2) submitted with reference
to the orders of the Revenue Minister
for Ind & P H at para 4 of the
notes of the collection No 91-47-12
-flag A- putup the Chairman
of the Mysore Improvement Trust
Board has been requested to
~~have~~ restore the land to the
owner accordingly the petitioner
says that ~~the land~~ the possession
of the land has not yet been
given to him

3) in the above circumstances
a draft letter is putup to the
chairman calling for a report
in the matter - Ref para 1 above

Mrs 26/7
Pr 27-7-48

4) Issued
27/7/48

5)
As a report has
been received
the letter is held
up
Mrs 12/8

192 833/ml

Letter No A 62/39-40 dt 24-7-48
from the chairman, Upper Tusl-
-board requesting that the orders
passed in their office letter dt 6-11-47
may be withdrawn

6) The report received from
the chairman is submitted for perusal
The letter proposed at para 3 of the
notes is withheld in view of the
report

7) As some more information
is required, a draft letter is putup
to the chairman calling for the
same submitted for approval
& other orders with reference
to para 1 supra

Sd
12/8 Pr
12-8-48

8) Issue attnee

Sd
12/8/48

L1637 dt 16.8.48

To The Chairman
C I T Board
Nilgiris

Calls for a report for
withdrawing the enforce-

Sd A
for 23.8.48

Grant of land to Sri Venkateswara Swamy

833 V 3634/ sub
Letter No Award 62/39-40 of
8-11-48 from the chairman
Hyderabad Trust Board on the matter

q submitted with a draft
letter calling for further information
as the report now received is
not clear

10/12

10) On the application of the Venkateswara
- Swamy for the restoration of
possession of the premises no 178,
Kaisarbagh Motilal, Hyderabad, the then
minister - late Sir Akbar Hydari inspected the
site and directed that the land in
question which had been acquired for the
from the petitioner be restored to him
& should not be granted to any others as
mentioned in the report herein

Vide orders at para 4 of the notice of the collector flagged or placed below

(1) On 25 6 48, the above person
applied to the minister for grant of land
to the effect that he had not received
given this land as directed by the

On this, a representation called for the Chairman, C.D.O. engineer Hetherington reported that the land was granted to Sir Dodick, that after licence granted to him he put up a Compound wall 4 feet in height and that its extension to encroachment (towards Somasama as his wife) would give rise to legal complications & has suggested that as the petitioner was given land to the extent of 9.4 perches as against 5.5 perches acquired from him, there is no case for the land to be given to the petitioner. The Chairman C.D.O. Negombo maybe requested that he may make a suitable assessment to the petitioner this means that the ordinary procedure stands modified to the above extent.

14) Yes A

15) Yes to accordingly

Compliance 19.12.47

5952

21/12

12) As proposed

Perused

21/12/48

(Minister Home Affairs), 13)

YS 18/12

THE HOME MINISTRY
6743
21 DEC 1948

16) Different

YS 23/12

21/12

3634/mL

17) A draft letter as put up
– Ref paras 14 & 15 above

27/12

3/12 4th

5/1/49

To

The Chief Engineer

NOL 8009/Tel 147-48-30
dt 14 1 49.

Directing the Chairman to
issue an Enquiry to the
Petitioner –

2222

OFFICE OF
THE MINISTER FOR
LOCAL SELF-GOVERNMENT
No 2222
Date
To

OFFICE OF THE MINISTER
FOR FINANCE & INDUSTRIES
No P 3959
Date 30 6 48

Mle 192

GENERAL & REVENUE SECRETARIAT
8 JUL 1948
192
REVENUE & MUNICIPAL BRANCH

The Minister for Local Self Government,
Government of Mysore,
BANGALORE

2222
91-47-11

PETITIONER - Venkataririyappa, residing at door No 178, Chelu rba Agrahar, Krishnaraja Mohalla, Mysore city,

Re - Endorsement No L 11081 dated 21-11-1947 from the General & Revenue Secretariat

***

8/7

Respected Sir,

The Government was pleased to issue the above-mentioned endorsement with reference to the handing over possession of a piece of vacant land adjoining my house which hadbeen acquired by the City Improvement Trust Board in the city of Mysore Inspite of the direction given to the City Improvement Trust Board and inspite of my personal representations and requests made in writing, the Chairman of the Trust Board, has not handed over possession of the said land to me till now though it is more than 6 months since the Government was pleasedto pass orders for the restoration of the said land

Hon'ble Minister for finance h/c
26/6/48
Rev Secy
Early
He 29/6.
Intend
F 7/7/48

I therefore pray that the Chairman of the City Improvement Trust Board, might be directed to hand over immediate possession of the said land to me

I beg to remain,
Sir,
Your most obedient Servant,
[signature]

Petitioner

25-6-48

No A62/38-40 Encl 2

Office of the Chairman
City Improvement Trust Board

Mysore, Dated 23rd July 1948

From

P Sitaramiah Esq B A B L
CHAIRMAN CITY IMPROVEMENT TRUST BOARD
MYSORE

To

Janab Syed Abdul Aleem, B A ,
SECRETARY TO THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE
REVENUE DEPARTMENT BANGALORE.

GENERAL & REVENUE SECRETARIAT 30 JUL 1948 MUNICIPAL BRANCH

Sir

RE:- Cancellation of land granted to Sri Doddiah alias Javarappa, Thotadahatti Beedi, Krishnaraja Mohalla, Mysore

====

With reference to G O NO L 10599 M1 91-47-12 dated 6/11/47 ending with the endorsement issued with your No L 1108 dated 21/11/47 and received with your No L 11082 of even date, I have the honour to state as follows -

A bit of land measuring 17' x 31' = 58 and 5/9 Sq.yds in Thotadahatti Beedi belonging to the petitioner was acquired with Award No 62/38-40 for providing latrines As this bit was a source of nuisance to the neighbours and Doddiah alias Javarappa was frequently petitioning for the grant of some land to put up a latrine etc , and the acquisition was sanctioned by Government in their Order No L 8428-30 M1 21-39-14 dated 2/4/1940

Mr Venkatagiriyappa also requested for the grant of a portion of the acquired land, the then Chairman Sri R Ramachandra-Rao Bhombore, inspected the spot on 28/2/46 and ordered that the bit of land measuring 16 x 17' may be sold at Rs 2-8-0 per Sq Yd , and the remaining bit 15' x 16' to Doddiah alias Javarappa After this grant the latter Sri Doddiah represented that he had no access to the backyard and so Sannamma wife of Sri Venkatagiriyappa was requested to allow 3' of space out of the area granted to her for which she was not agreeable Sri Doddiah to whom the land was granted has already put up a construction and the land was the subject-matter of the acquisition proceedings If according to the Government order cancelling the grant, the land which is now granted, is revoked, the Trust Board have to expose themselves to cause for damages in respect of construction put up by him In these circumst

A 3

circumstances the orders of Government may kindly be reconsidered A copy of the Government Pleader's Letter No 1386 dated 19/5/48 expressing the legal opinion in the matter together with the Trust Board resolution No 322 dated 30/6/48, is enclosed for favour of kind perusal and information.

I have the honour to be,
Sir,
Your most obedient servant,
O Shahamal
Chairman

Very Urgent

Letter No 1386 dated 19-5-48 from the Government Pleader, Mysore, to the Chairman, City Improverent Trust Board, Mysore

Re Legal opinion on the notice dated 13-4-48 issued by Mr B Rama Rao, Advocate

With reference to your letter No Award No 62/38-40 dated 10th May 1948 on the above subject, I have the honour to state that from a perusal of the records, I find that Sri Doddiah has already put up construction on the land granted to him and the land so granted to him was the subject matter of proper acquisition proceedings Sri Sannamma's claim in this behalf is untenable In case the grant of land ~~to land~~ to Sri Doddaiah is revoked by the Trust Board, they may in all probability, have to expose themselves to a cause for damages in respect of the construction put up by him on the land It look that the Government was not made aware of this position clearly before the Government Order under reference was issued Even now, in answer to the Government Order, the Trust Board may explain the position in clear terms so that the the Government may be pleased to reconsider the matter

With reference to thenotice issued by Mr B Rama Rao on behalf of Sri Sannamma, it may be replied to the effect that the Government has again been moved in the matter and the final order is awaited and that the same will be intimated in due course

The entire file of records sent with your letter under reply is returned herewith

HRS "Copy" Chairman 23/7

5

Proceedings of the ordinary meeting of the Board of Trustees for the improvement of the City of Mysore, held at the Council Hall on 30th June 1948

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xx xx xx

xx

Deferred Subject No 302:

Petition of Doddiah alias Javarappa, Thotadahatti Street, K R Mohalla, Mysore, in the matter of disposal of vacant sites by the side of his house D No 200/2 situated in Thotadahatti Street, (Deferred pending a separate sketch from the Trust Board Engineer) and the resolution of the Trust Board dated 28-4-1948 stating ~~xxxx~~ legal opinion may be obtained on the notice issued by Mr B Rama Rao dated 13-4-48 on behalf of Sreemathi Narasamma, further deferred as legal opinion has not been circulated

"The subject is further deferred pending Government reply A reference may be made to Government as per the opinion of the Government Pleader A reply to the notice issued through Mr B Rama Rao may be duly replied as advised by the Government Pleader "

xx xx xx

xx xx

(Sd) P Sitharamiah
Chairman

" Copy "

P Sitharamiah
Chairman

HRS

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

L 1637/E

To,

16/8/38

The Chairman, LDT

Srang, Mysore

Sir,

With reference to your letter No A62/39-6 & 24-7-48 re the cancellation of the grant of land to Sri Doddiah, Kholadakatte Sheetha, Krishnaraja Nokalla, Mysore, I am directed to request you to furnish information on the following points very early:—

1) What kind of a structure is put up by Sri Doddiah on the land referred to?

2) ~~When the~~ When and by whom a license was granted to Sri Doddiah for putti

WD 0565—GPB—22 500—8 11 38

this structure and - When the
construction work was actually began?
3) - Who bore the cost of acquisition
of the land sanctioned in GO
No L 8-428-30/ml 21-39-14
dt 2/4/40
4) Has the sale of the land to
the Board been effected
by the Trust Board and if so,
When ?
5) Why the Trust Board objected -
refusing to sold a piece the land which was
acquired for a public purpose, to
a private party ?
~~6) In case, the proposal~~
6) - Whether it is not desirable to
grant some other land to the
Venkatagiriyappa at an alternate
place elsewhere, ~~instead~~ in the
interest of the Board itself for reasons
stated in your letter under reference
pleader received from the Venkatagiriyappa
also
by grant herewith for report along with
your reply
~~2 above~~ petition may kindly be
~~DVO~~

Mnh. 147-48-89 3634/mt-8

No Award 62/39-40
Sec-1

Office of the Chairman
City Improvement Trust Board

Mysore, Dated 1st Nover. 1948

From Sri P Sitaramiah Esq: B A B L
CHAIRMAN CITY IMPROVEMENT TRUST BOARD
MYSORE

To Janab Syed Abdul Aleem, B A ,
SECRETARY TO THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE
REVENUE DEPARTMENT BANGALORE

Sir,

Re:- The cancellation of the grant of land to Sri Doddiah of Thotadahatty Beedi, Krishnaraja Mohalla, Mysore

With reference to your letter No L 1637/E , dated 16th August 1948 re the above, I have the honour to state as follows -

1) Sri Doddiah has put up a brick in clay compound wall about 4 feet in height

2) A license was granted to Sri Doddiah with Municipal Engineer's No L 24/46-47 dated 5th November 1946 for putting up a compound wall and also to construct a bath room and latrine on the vacant land The date on which the construction was began is not ascertainable It should have been soon after the issue of license

3) The cost of acquisition of the land in question was met by the Trust Board Funds

4) The bit of land was sold to Sri Doddiah on 26th April 1946 and the same recorded in Board Resolution No 450 dated 29th May 1946 as is usual in the case of allotment of bits of land

5) The purpose of acquisition was for providing space for locating latrines and the Health Officer, City Municipal Council as consulted in the matter and has opined that there was no need for the construction of a public urinal and latrine at this place It is seen from the records that Sri Doddiah (petition dated 8-11-1938) was praying for the grant of the vacant land adjacent to his house for putting up a bath room and latrine thinking that to be a Trust Board land The land was belonging to Srimathi Sannamma and it could not be independently made use of for any building, and it was proposed to be acquired for improvement purposes (providing space for locating latrine) As the land in question was being mis-used by the public, and the petitioner Sri Doddiah was applying for the same since 1938, it was disposed of to the advantage of both Doddaiah and Sannamma, as by so doing the purpose of the acquisition

P T O

would be served equitably to both the parties concerned

6) Regarding the question of granting some other land to Sri Venkatagiriappa at an upset price, it may be stated that as against the area of 17 x 81'-4" 58 5/9 sq yds., acquired from him the area of the land sold to him subsequently is 16'x16' & 36' x 17' or 94 4/9 sq yls It is therefore apparent that he stands to gain a certain extra area of land on the transaction and as such there appears to be no case for the party to urge for the grant of any other land

The petition of Sri Venkatagiriappa received with your letter under advertance is retransmitted herewith as no further report is necessary in this matter

Yours faithfully,

P Sheshansai

Chairman

HRS/3

10

To, [redacted] MH 147[redacted]48-30
L8009 Dt 17-1-49
The chairman, C I T Board,
Mysore

Sir,

With reference to the correspondence
ending with your letter No A&A 362 of
39-40 dt 8-11-48 re the cancellation
of the grant of land to Sri Doddiah
alias Thavarappa, Tholudalatti
Sreet, Krishnaraja Mohalla, Mysore
I am directed to state that
the petitioner a suitable
endorsement may be issued
to the petitioner, Sri Venkata-
giriappa; in view of what you have
stated in your report dt 30 ult to
avoid complications, since the orders
communicated vide the letter no
L 10555 dt 6.11.47 stands and dispatch of the other
vide 91-W/P grant may be suspended.

By order &c